

Minutes
Pittsfield Planning Board
Regular Meeting
March 9, 2015

The Pittsfield Planning Board met on Monday, March 9, 2015 at 7:00 pm in the Council Chambers of the Pittsfield Municipal Building, 112 Somerset Avenue, Pittsfield, Maine.

Present: Jan Laux, Brent Newhouse, Jack Wright, Matt Bolster, Anna Bockis, Walter Reuter and Tom Cote. Absent: Holly Zadra, Royce Sposato. Also Present: Vaughan Woodruff and Matt Wagner of Insource Renewables, Town Manager Kathryn Ruth and Building Inspector Steve Seekins.

1. Vice Chair **Jan Laux** opened the meeting by leading the Pledge of Allegiance to the flag.
2. Motion by **Tom Cote** and seconded by **Brent Newhouse** to adopt the minutes of the meeting of February 9, 2015.

VOTE: UNANIMOUS AYE

3. **Public Hearing:**

Add to Chapter 13, Zoning Ordinance: Requirements to regulate Home Based Enterprises, Wellhead Protection Zones, Wind Energy Facilities, Communication Towers and Meteorological Towers; Add to Chapter 13 Zoning Ordinance Table P in District C-4 “Mobile Home Parks limited to no greater than 4 mobile homes” and “Large scale commercial development shall be limited to the CDOC Corridor Development Overlay District”; Add to Chapter 13 Zoning Ordinance Table P in Districts C-4, R-2 and R-4 Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use; Add to Chapter 13 Zoning Ordinance Table Q in Districts C-2, C-3 and CDOC Wind Energy Facilities as a Conditional Use; Add to Chapter 13 Zoning Ordinance Table Q in Districts C-1, C-2, C-3, CDOC and MSOD Communication Towers and Meteorological Towers as a Conditional Use; Add to Chapter 13 Zoning Ordinance Table R in Districts APD, SOD and AOD Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use; Add to Chapter 15 Subdivision Ordinance and Chapter 13-B Site Plan Review Ordinance a requirement to show locations of Prime Farm Lands in the use application process; Add to Chapter 16 Shoreland Zoning Ordinance Section 7 “Conflicts with Other Ordinances”.

Vice Chair **Jan Laux** opened the Public Hearing at 7:02 pm asking for proponents or opponents to speak. There were no proponents or opponents. Vice Chair **Jan Laux** closed the Public Hearing at 7:04 pm.

4. **New Business: NONE**
5. **Old Business:**

Consider recommending from item 3 above that the Pittsfield Town Council adopt following:

- 5.a Add to Chapter 13, Zoning Ordinance: Requirements to regulate Home Based Enterprises.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.b. Add to Chapter 13, Zoning Ordinance: Requirements to regulate Wellhead Protection Zones.

Motion by **Tom Cote** and seconded by **Anna Bockis** to recommend this change to Town Council.

VOTE: UNANIMOUS AYE

5.c. Add to Chapter 13 Zoning Ordinance: Requirements to regulate Wind Energy Facilities, Communication Towers and Meteorological Towers.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.d. Add to Chapter 13 Zoning Ordinance Table P in District C-4 “Mobile Home Parks limited to no greater than 4 mobile homes”.

Motion by **Tom Cote** and seconded by **Anna Bockis** to recommend this change to Town Council.

**VOTE: UNANIMOUS AYE
ABSTAINED: ANNA BOCKIS**

5.e. Add to Chapter 13 Zoning Ordinance Table P in District C-4 “Large scale commercial development shall be limited to the CDOC Corridor Development Overlay District”.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.f. Add to Chapter 13 Zoning Ordinance Table P in Districts C-4, R-2 and R-4 Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.g. Add to Chapter 13 Zoning Ordinance Table Q in Districts C-2, C-3 and CDOC Wind Energy Facilities as a Conditional Use.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.h. Add to Chapter 13 Zoning Ordinance Table Q in Districts C-1, C-2, C-3, CDOC and MSOD Communication Towers and Meteorological Towers as a Conditional Use.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

5.i. Add to Chapter 13 Zoning Ordinance Table R in Districts APD, SOD and AOD Wind Energy Facilities, Communication Towers and Meteorological Towers as a Conditional Use.

This item was not discussed or voted on, as additional recommendations by the Town Attorney needs to be added.

5.j. Add to Chapter 15 Subdivision Ordinance and Chapter 13-B Site Plan Review Ordinance a requirement to show locations of Prime Farm Lands in the use application process.

This item was not discussed or voted on, as additional recommendations by the Town Attorney needs to be added.

5.k. Add to Chapter 16 Shoreland Zoning Ordinance Section 7 “Conflicts with Other Ordinances”.

This item was not discussed or voted on, as additional recommendations by the Town Attorney need to be added.

6. Final copy of the Planning Board’s recommended revision to Chapter 13B that addresses Communication Towers, Wind Energy Facilities and Use of Public Roads.

The Board reviewed the proposed changes to Chapter 13B Site Plan Review Ordinance and voted set it to Public Hearing at April 13, 2015 meeting.

Motion by **Walter Reuter** and seconded by **Tom Cote** that the proposed changes to Chapter 13B Site Plan Review Ordinance be set to Public Hearing at April 13, 2015 meeting.

VOTE: UNANIMOUS AYE

7. Add definition to Chapter 13C Land Use Definitions.

Review proposed definition for Large Scale Commercial Development and consider setting to Public Hearing on the April 13, 2015 meeting.

Large Scale Commercial Development: Shall mean a commercial use that covers or uses a ground area for a parking lot, a storage area, a sales display area or a manufacturing area greater than 2 acres. Shall mean a commercial use that employs directly ~~or indirectly~~ more than 5 employees on site. Shall mean a use that attracts more than 25 truck or car trips per day. Shall not mean the use of Timber Harvesting or Agriculture.

Numbers were placed in the blanks after some discussion. The Town Manager expressed a concern about the use of indirect in the definition as it would be difficult to determine the number of employees working off site and if they were off site, it may not affect the business site. Ms. Ruth advised that the definitions she has worked with in the past generally have a list of conditions and that all conditions must be met, not just one. With the definition as written, the Town Manager believes it could be interpreted to mean that having 25 vehicle trips per day would create a large scale commercial development. Most smaller businesses will have this many trips unless they are home occupations. In addition, as the definition is being added to the Land Use Definitions Ordinance, it affects all districts and as the “large scale commercial

development” category is listed only on C-4, the Town Manager advised that that the section as drafted may have the unintended consequence of banning large scale commercial development throughout the community. This is clearly not what was intended as the large scale commercial development in the C-4 District is to be kept to the overlay district along Route #100 and Route #2. The Town has many opportunities before it such as SAS and UTC plus others under review. She indicated that the Town Attorney should review this section and revise it as intended. There was a discussion resulting in “indirectly” be deleted from the description and the need for the Town Attorney to legally review the description and chart as drafted.

Motion by **Walter Reuter** and seconded by **Matt Bolster** that above definition be reviewed with a recommendation by the Town Attorney and set to Public Hearing at the April 13, 2015 meeting.

VOTE: UNANIMOUS AYE

8. Other items that come before the Board:

Vaughan Woodruff and Matt Wagner of Insource Renewables explained their intended use of former Corner Cupboard Store, Map 29 Lot 84. Vaughn Woodruff introduced Matt Wagner and advised Matt will oversee the alteration of building. Vaughan and Matt explained the building would only be used for a warehouse, storage, and shipping, and receiving. No office area is proposed and no changes are proposed for the exterior. No structural changes are to be made the building. The floor will be leveled. Old electric wiring will be replaced with new. Vaughan explained that the under ground tank has been removed as a condition of the sale. In time they plan outside improvement and possibly an electric car charging station. They will obtain Planning Board approval before proceeding with any additional uses.

Motion by **Walter Reuter** and seconded by **Jack Wright** to allow Insource Renewables to come before the Board at the next meeting to apply for their shoreland zoning permit and present a letter of intended use of the building in lieu of a Site Plan Review.

VOTE: UNANIMOUS AYE

Vice Chair Jan Laux requested that Zoning Maps be displayed at all Planning Board meetings and that members be furnished with an 11” x 17” reduced copy. Kathryn Ruth suggested obtaining copies from Kleinschmidt Assoc.

9. Adjournment:

Motion by **Walter Reuter** and seconded by **Tom Cote** that the meeting be adjourned at 8:16 pm.

VOTE: UNANIMOUS AYE

It was announced that the Planning Board would hold a Special Meeting on March 18, 2015 to address the Shoreland Zoning Application and the letter of intended use of item 8 above.

Respectfully submitted by:
Steve Seekins, Building Inspector
Nicole Nickolan, Town Clerk